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IN THE UNITED STATES BANKRUPTCY COURT

IN THE DISTRICT OF MONTANA

IN RE:	)	Case No. 09-60965
	)	
	)	
JEANNE RIZZOTTO,	)	<b><u>MOTION TO</u></b>
Debtor.	)	<b><u>ALLOW FOR DISPOSAL OF</u></b>
_____	)	<b><u>PERSONAL PROPERTY</u></b>

BANK OF RED LODGE, a secured creditor in this case, by and through its attorneys, James A. Patten and W. Scott Green, hereby makes this motion to lift the stay to allow disposal of personal property of Debtor.

On March 1, 2010, Debtor and Bank of Red Lodge entered into a stipulation [Doc # 238]. On June 1, 2010, Bank of Red Lodge notified Debtor that she was in breach of the stipulation and gave her notice to cure default. Debtor failed to cure the default and on July 6, 2010, Deeds in Lieu of Foreclosure were recorded in favor of Bank of Red Lodge on the real property on which a house and office building are situated.


Bank of Red Lodge is now in possession of personal property of Debtor which Debtor left on the real property on which a house and office building are situated.

Debtor has abandoned the personal property.

Bank of Red Lodge requests relief from the stay for purposes of disposing of the personal property of Debtor pursuant to §70-24-430, MCA.

DATED this 26<sup>th</sup> day of July, 2010.

PATTEN, PETERMAN, BEKKEDAHL & GREEN PLLC

By:       /s/ W. Scott Green       

James A. Patten

W. Scott Green

Attorneys for Bank of Red Lodge

**NOTICE OF OPPORTUNITY TO RESPOND  
AND REQUEST A HEARING**

**If you object to the motion, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the motion. The responding party shall schedule the hearing on the motion at least twenty-one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:**

**NOTICE OF HEARING**


**Date:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**Location:** \_\_\_\_\_

If no response and request for hearing are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

PATTEN, PETERMAN, BEKKEDAHN & GREEN PLLC

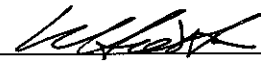
By:     /s/ W. Scott Green       
James A. Patten  
W. Scott Green  
Attorneys for Bank of Red Lodge

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**CERTIFICATE OF SERVICE**

This is to verify that on this 26<sup>th</sup> day of July, 2010, a copy of the foregoing Motion to Allow for Disposal of Personal Property was duly served, under penalty of perjury, by first class mail, postage prepaid, upon the following:

Jeanne Rizzotto  
P.O. Box 21  
Roberts, MT 59070

    /s/ W. Scott Green       
W. Scott Green  
For Patten, Peterman, Bekkedahl & Green